

CURRICULUM VITAE

JAMES W. FOLEY, P.E.
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SUMMARY OF EXPERIENCE:

Over thirty-eight years of practical experience in engineering, construction, and related management. This experience has encompassed managing the design and construction of bridges, highways, street improvements, rail systems, traffic signal systems, streetlight systems, sanitary sewers, storm drains, pipelines, tunnels, airports, oil refineries, nuclear facilities, deep excavations, heavy foundations, office buildings, schools, high-rise buildings; the preparation of working drawings and specifications; and the management of activities during the construction phase of projects.

Over twenty-five years of experience and more than two thousand hours spent in depositions, hearings, testimony, and related presentations as both an expert and a percipient witness. This experience has been gained “on the witness stand;” at arbitrations and mediations; with Dispute Review Boards; with commissions, boards, and councils; with the State of California Joint Legislative Committee on Sunset Review; and in closed Executive Sessions of legislative bodies. I have also acted as a negotiator, a mediator, a project neutral, and a member of Dispute Review Boards. I have participated in jury selection and as the owner’s lead in preparing for trial. My experience has been gained as an owner, as a designer, as a contractor, and as an independent expert for both plaintiffs and defendants encompassing in excess of fifty separate legal actions.

EDUCATION:

BACHELOR OF SCIENCE - Civil Engineering, Santa Clara University, 1968
MASTER OF SCIENCE - Civil Engineering, Santa Clara University, 1970
University of California Extension, Berkeley
Pepperdine University, School of Law, Straus Institute for Dispute Resolution

PROFESSIONAL LICENSES:

Civil Engineer, California and Nevada
Structural Engineer, California and Nevada
Geotechnical Engineer, California
General Contractor (A & B), California
California Community College Instructor Credential in Engineering

PROFESSIONAL SOCIETIES:

Member, American Society of Civil Engineers
Member, Structural Engineers Association of Northern California
Member, American Public Works Association
Member, Dispute Resolution Board Foundation

BOARDS AND COMMISSIONS:

California Board for Professional Engineers and Land Surveyors (BPELS)
NCEES Committee on Finances
Santa Clara University Ambassador
San Jose City Employees Foundation Board of Directors
The Vineyards of Saratoga Board of Directors – President

JAMES W. FOLEY, P.E.

DETAILED SUMMARY OF EXPERIENCE

2002 TO PRESENT: James W. Foley, P.E. - Engineering and Construction Consultant

Currently providing consulting services to the engineering and construction industry. These services include negotiation, arbitration, mediation, participation on Dispute Review Boards, project re-alignment intervention, forensic investigation, constructability review, specification review, and expert witness testimony. Due to my familiarity with the Public Contract Code and Government Code as they apply to public works contracting in California, I provide classes and seminars related to project management, and the preparation and coordination of plans and specifications.

2000 TO 2003: Public Works Department, City of San Jose

As Deputy Director of Public Works (City Engineer), I provided oversight and coordination of four Public Works operating Divisions: Airport, Development Services, Engineering Services, and Real Estate. Primary responsibility was the implementation of the San Jose International Airport Master Plan – a two billion dollar series of capital improvement projects. Other duties included long-range department planning and project scheduling, management of operating and capital budget preparation, training and development of department personnel, and setting the highest standards achievable for the four reporting divisions.

1995 TO 2000: Public Works Department, City of San Jose

Assigned as the Division Manager of the Design and Construction Division. I was responsible for managing the implementation of major portions of the City's multi-billion dollar Capital Improvement Program. This included the Traffic and Redevelopment Agency Programs, the Storm Drain Program, the Sanitary Sewer Program, and the South Bay Water Recycling Project. The total dollar value of projects designed and constructed exceeded 50 million dollars per year.

FALL 1994: City Engineer, City of Campbell

Provided contract services to the City of Campbell as City Engineer. I was responsible for managing the engineering section of the Public Works Department on an interim basis during Campbell's recruiting process. My duties included capital project implementation and construction management, private development review, and coordination with other public agencies.

1992 TO 1995: Public Works Department, City of San Jose

Assigned as the Division Manager of the Engineering Services Division. I was responsible for managing the City's Materials Testing Laboratory, the City Survey Section, and the reorganization and computerization of the central filing system for Public Works related documents. I also advocated and managed a pilot program to provide materials testing services and land surveying to other organizations and agencies including the Santa Clara County Transportation Agency, Santa Clara Valley Water District, and Caltrans as a "private" enterprise providing revenue for the City.

JAMES W. FOLEY, P.E.
DETAILED SUMMARY OF EXPERIENCE

1987 TO 1992: Public Works Department, City of San Jose

Assigned as the Division Manager of the Design and Construction Division. I was responsible for managing the implementation of major portions of the City's Capital Improvement Program. This included the Traffic and Redevelopment Agency Programs, the Storm Drain Program, and the Sanitary Sewer Program.

1980 TO 1987: Public Works Department, City of San Jose

Assigned as the Section Manager of the Design Section of the Design and Construction Division. Duties included managing the final engineering design and construction of Public Works Capital Improvement Projects including bridges, streets, light-rail transit, traffic signals, storm drains, sanitary sewers, pipelines, pump stations, water systems, and airport related facilities.

1973 TO 1980: Bechtel Incorporated, San Francisco

Primarily responsible for managing the structural design and project coordination for the Terminal Complex for the New Riyadh International Airport, Saudi Arabia. This encompassed managing a team of design engineers and construction related personnel. Other projects and associated responsibilities included the design and construction of nuclear facilities, pipelines, and oil refineries.

1972 TO 1973: H. J. Degenkolb Associates, Consulting Engineers, San Francisco

Responsibilities included the analysis and design of low-rise and high-rise commercial buildings and industrial structures, investigation of existing buildings for structural adequacy, the preparation of seismic studies and research for public agencies, the preparation of working drawings and specifications, and the coordination of activities during the construction phase of projects.

1969 TO 1972: Public Works Department, City of San Jose

Responsibilities included the design of street improvement projects, the design of several low-rise municipal buildings, the preparation of working drawings and specifications, and the coordination of activities during the construction phase of projects.

JAMES W. FOLEY, P.E.
DETAILED SUMMARY OF EXPERIENCE

Guest Lecturer: Santa Clara University
Stanford University
San Jose State University

**Past Memberships
On Boards and
Commissions:** Santa Clara Valley Water District Flood Control Zone Advisory Committees
San Jose/Santa Clara Treatment Plant Advisory Commission
American Public Works Association South Bay Area Chapter Board of Directors
NCEES Fire Protection/Design Build Task Force
NCEES Examination Administration Task Force
Caltrans Local Bridge Seismic Retrofit Advisory Committee
Caltrans Highway Bridge Replacement and Rehabilitation Steering Committee

Clients: ArbitrationWorks, Mediation and Arbitration Services
Team Technologies
East Side Union High School District
Pajaro Valley Unified School District
California Department of Transportation (Caltrans)
Santa Clara Valley Water District
City of San Jose
City of Campbell
Bechtel
HNTB Corporation
CSG Consultants, Inc
S. J Amoroso Construction, Inc.
RGW Construction, Inc.
Dilbeck and Sons, General Contractors, Inc.
WWCOT Architecture, Planning, Forensics, Interiors
Picone and DeFilippis, Attorneys at Law
Brian K. Berman, Attorney at Law
William R. Seligmann, Attorney at Law
Judy Tsai, Attorney at Law

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

PROJECT	OWNER	CONTRACTOR	\$	DATE	ROLE			DESCRIPTION
					O	C	Ch	
<i>I 880/US 101 Interchange & Widening</i>	<i>Santa Clara Valley Traffic Authority</i>	<i>Nolte Associates, Inc.</i>	<i>50M</i>	<i>1986</i>	<i>X</i>			<i>Dispute Review Board for determining consultant responsibility and compensation.</i>
<i>SR 85/Saratoga Ave. Interchange</i>	<i>Santa Clara Valley Traffic Authority</i>	<i>BKF Engineers</i>	<i>25M</i>	<i>1986</i>	<i>X</i>			<i>Dispute Review Board for determining consultant responsibility and compensation.</i>
<i>Fuel Truck Access Road</i>	<i>City of San Jose (Airport)</i>	<i>Serrano & Cone</i>	<i>1M</i>	<i>1999</i>	<i>X</i>			<i>Dispute Review Board to resolve claim. San Jose Airport Roadway.</i>
<i>Taxiway Z from Taxiway C to G</i>	<i>City of San Jose (Airport)</i>	<i>Serrano & Cone</i>	<i>6M</i>	<i>1999</i>	<i>X</i>			<i>Dispute Review Board to resolve claim. Taxiway widening and drainage.</i>
<i>Evergreen Valley High School</i>	<i>Eastside Union High School District</i>	<i>S.J. Amoroso</i>	<i>80M</i>	<i>2002 - 2004</i>	<i>X</i>	<i>X</i>	<i>X</i>	<i>Full Project Re-alignment involving arbitration, mediation, neutral advocacy and Dispute Review Boards.</i>
<i>Lower Silver Creek Project Reach 3, Phase 1</i>	<i>Santa Clara Valley Water District</i>	<i>RGW</i>	<i>12M</i>	<i>2003 - 2006</i>	<i>X</i>			<i>Dispute Review Board. Creek channel modifications and re-vegetation.</i>
<i>Pajaro Valley High School</i>	<i>Pajaro Valley Unified School District</i>	<i>Dilbeck & Sons</i>	<i>25M</i>	<i>2003 - 2004</i>	<i>X</i>	<i>X</i>	<i>X</i>	<i>Full Project Re-alignment</i>
<i>SR 87 - Brokaw Road to De La Cruz Boulevard</i>	<i>Caltrans</i>	<i>Pavex Construction</i>	<i>16M</i>	<i>2004 - 2005</i>			<i>X</i>	<i>Dispute Review Board. Freeway widening and bridges.</i>
<i>I 280 – SR 87 to Cypress Overcrossing</i>	<i>Caltrans</i>	<i>RGW Construction</i>	<i>17M</i>	<i>2006 - Present</i>		<i>X</i>		<i>Dispute Review Board. Freeway widening and overlay.</i>
<i>Terminal B and North Concourse</i>	<i>City of San Jose (Airport)</i>	<i>Gilbane/Clark Construction</i>	<i>355M</i>	<i>2006 – Present</i>	<i>X</i>			<i>Dispute Review Board. Construction of a new terminal building at San Jose International Airport</i>
<i>Laguna Honda Hospital Replacement Program</i>	<i>City and County of San Francisco</i>	<i>Turner</i>	<i>400M</i>	<i>2006 – Present</i>	<i>X</i>			<i>Dispute Review Board. Construction of a new Laguna Honda Hospital.</i>

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

PROJECT	OWNER	CONTRACTOR	\$	DATE	ROLE			DESCRIPTION
					O	C	Ch	
Crossover and Isolation Valves at Hayward Fault	City and County of San Francisco	Ranger Pipelines, Inc	16M	2006 – Present			X	Dispute Review Board. Construction of seismic isolation valves at the Hayward Fault for SFPUC.
Sunset Reservoir Phase B	City and County of San Francisco	Shimmick Construction, Inc.	40M	2006 – Present	X			Dispute Review Board. Seismic Upgrade and rehabilitation of Sunset Reservoir for SFPUC.

ALTERNATIVE DISPUTE RESOLUTION EDUCATION AND TRAINING

INSTITUTION	COURSE SUBJECT	DATE
Lorman Education Services	Public Contract Code and Competitive Bidding in California	August 2002
La Jolla Center for Dispute Resolution	Start to Finish Services for Dispute Resolution	March 2003
Saddle Island Institute	Construction Claims: How to Manage Construction Projects So Disputes Are Completely Eliminated or Resolved Quickly	April 2003
Pepperdine University, School of Law, Straus Institute for Dispute Resolution	Mediating Complex Construction Disputes	June 2003
Team Technologies/The ReAlignment Group	Project Alignment	January 2004
Dispute Review Board Foundation/Caltrans	The Dispute Review Board Administration and Practice Workshop	March 2004
Dispute Review Board Foundation/Caltrans	The Dispute Review Board Chairing Workshop	March 2004
Team Technologies/The ReAlignment Group	Project Alignment/Re-alignment	May 2004
Pepperdine University, School of Law, Straus Institute for Dispute Resolution	Mediating: The Art of Facilitating Settlement	June 2004
Dispute Review Board Foundation/Caltrans	The Dispute Review Board Administration and Practice Workshop	March 2005
Dispute Review Board Foundation/Caltrans	The Dispute Review Board Advanced/Chairing Chairing Workshop	March 2005
Pepperdine University, School of Law, Straus Institute for Dispute Resolution	Strategic Negotiation and Settlement Skills	June 2005
Dispute Review Board Foundation/Caltrans	The Dispute Review Board Administration and Practice Workshop	March 2006